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## FISCAL IMPACT REPORT



SPONSOR: Sanchez DATE TYPED: 01/28/02 HB \_\_\_\_\_

SHORT TITLE: Female Inmates Independent Board of Inquiry SB 196

ANALYST: Trujillo

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$125.0			Non-Recurring	General Fund
		\$0.1 Indeterminate		Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in The General Appropriation Act

### SOURCES OF INFORMATION

LFC files

#### Responses Received

Administrative Office of the District Attorney's (AODA)

Attorney General (AG)

Corrections Department (CD)

Crime Victims Reparation Commission (CVRC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 196 appropriates \$125.0 from the general fund to the Legislative Council service for the purpose of establishing an Independent Board of Inquiry (IBI) to examine issues regarding the incarceration of female inmates.

The IB is required to conduct a comprehensive review of issues regarding incarceration of female inmates, including:

- (1) classification policies and procedures;
- (2) the use of administrative segregation;

- (3) policies and procedures for protecting female inmates from sexual assault and harassment;
- (4) provision of medical services, including screening and treatment issues;
- (5) provision of mental health services, including diagnosis, treatment, and medication issues; and
- (6) policies and procedures concerning parole planning for female inmates.

The bill requires the IBI to make periodic oral reports to the Joint Interim Legislative Corrections Oversight Committee during the 2002 interim. Prior to December 1, 2002 the IBI must make its final oral report and present the Committee with a written report of its findings and recommendations.

The CD and any private entity that contracts with the department for the provision of correctional services for female inmates must, upon request from the IBI, make available any documents, material or information requested by the IBI.

### **FISCAL IMPLICATIONS**

The appropriation of \$125.0 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year shall revert to the general fund.

There is no appropriation in the bill to the CD. CD reports there will be a minor increase in costs to the department as a result of the need to respond to requests for documents and other information from the Board. It is unknown whether the bill will result in additional cost increases to CD as a result of the recommendations made by the IBI.

### **ADMINISTRATIVE IMPLICATIONS**

CD reports the bill will result in a significant increase in an administrative burden upon department personnel who are required to respond to requests for information from the IBI. It is unknown what the long term administrative impact of the bill would be.

### **OTHER SUBSTANTIVE ISSUES**

CD suggests considering the use of a task force or some other mechanism less formal and costly than an IBI.

The LFC has raised issues related to female inmates. The IBI established in the fall of 1999 utilized nationally recognized experts as a direct result of disorder at state and privately run facilities. Since that time the totals budget at CD has increased significantly in direct response to the legislatures concern of treatment for male inmates. At that time the IBI focused on male inmates. The original intent of the IBI, composed of correctional experts from outside the state of New Mexico was to provide a non-political, independent, and objective evaluation within the corrections system.

LAT/ar